

21.04.2023.
44
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1613 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Paikar P. S. Case No.202 of 2022 dated 18.09.2022 under Sections 326A/307 of the Indian Penal Code.

In the matter of : Sahabuddin Saikh @ Sahabuddin Sk.
.... Petitioner.

Mr. Rajendra Banerjee,
Mr. Debarshi Brahma.
...for the Petitioner.

Ms. Faria Hossain,
Mr. Anand Keshari.
...for the State.

Petitioner is in custody for seven months. He submits injuries are simple. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits petitioner threw acid at the victim.

We have considered the materials on record. Though allegation involves throwing of acid, injuries are simple.

Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Sahabuddin Saikh @ Sahabuddin Sk shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not

intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)